

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
BISMARCK DIVISION

STATE OF IOWA, et al.,

Plaintiffs,

v.

COUNCIL ON ENVIRONMENTAL
QUALITY, and BRENDA MALLORY, in her
official capacity as Chair,

Defendants,

ALASKA COMMUNITY ACTION ON
TOXICS; CENTER FOR BIOLOGICAL
DIVERSITY; CENTER FOR
ENVIRONMENTAL HEALTH; CENTER FOR
FOOD SAFETY; ENVIRONMENTAL LAW
AND POLICY CENTER; ENVIRONMENTAL
PROTECTION INFORMATION CENTER;
FOOD & WATER WATCH; FORT
BERTHOLD POWER; FRIENDS OF THE
EARTH; GREEN LATINOS; LABOR
COUNCIL ON LATIN AMERICAN
ADVANCEMENT; MĀLAMA MĀKUA;
NATIONAL PARKS CONSERVATION
ASSOCIATION; NATIONAL WILDLIFE
FEDERATION; OCEAN CONSERVANCY;
PEOPLE'S COLLECTIVE FOR
ENVIRONMENTAL JUSTICE; RIO GRANDE
INTERNATIONAL STUDY CENTER;
SOUTHERN UTAH WILDERNESS
ALLIANCE; WE ACT FOR
ENVIRONMENTAL JUSTICE; THE
WILDERNESS SOCIETY, and WINTER
WILDLANDS ALLIANCE,

Applicant-Intervenor-Defendants.

Case No. 1:24-cv-00089-DMT-CRH

MOTION TO INTERVENE

Alaska Community Action on Toxics, Center for Biological Diversity, Center for Environmental Health, Center for Food Safety, Environmental Law and Policy Center, Environmental Protection Information Center, Food & Water Watch, Fort Berthold POWER, Friends of the Earth, Green Latinos, Labor Council on Latin American Advancement, Mālama Mākua, National Parks Conservation Association, National Wildlife Federation, Ocean Conservancy, People's Collective for Environmental Justice, Rio Grande International Study Center, Southern Utah Wilderness Alliance, WE ACT for Environmental Justice, The Wilderness Society, and Winter Wildlands Alliance (collectively, "Applicants") respectfully move under Federal Rule of Civil Procedure 24 to intervene as defendants in this action. A memorandum in support of this motion, proposed answer, and declarations from the movants are filed contemporaneously with the motion. Undersigned counsel have conferred with Plaintiffs and the Federal Defendants about this motion. Plaintiffs and the Federal Defendants take no position on this motion.

Dated this 27th day of June, 2024.

s/ Jan E. Hasselman

JAN E. HASSELMAN (Admitted in D.N.D.)
(WSBA #29017)

KRISTEN L. BOYLES (Admitted in D.N.D.)
(CSBA #158450)

LYDIA HEYE (Admitted in D.N.D.)
(ABA #2211101)

EARTHJUSTICE
810 Third Avenue, Suite 610
Seattle, WA 98104
(206) 343-7340

jhasselman@earthjustice.org
kboyles@earthjustice.org
lheye@earthjustice.org

SUSAN JANE M. BROWN
[Pro Hac Vice Application Pending]
(OSBA #054607)
SILVIX RESOURCES
4107 NE Couch St.
Portland, OR 97232
(503) 680-5513
sjb@silvex.org

*Attorneys for Applicant-Intervenor-Defendants
Alaska Community Action on Toxics, et al.*

CERTIFICATE OF SERVICE

I hereby certify that on June 27, 2024, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of this filing to the attorneys of record and all registered participants.

Dated: June 27, 2024.

s/ Jan E. Hasselman
Jan E. Hasselman